

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition –PJP – GADWAL - Mahabubnagar District – Atmakur (M) Jurala (V) – O.P.No.373/90 – Sanction of decretal charges of Rs.3,14,755/- - Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 27

DATE:06.01.2009

Read:

From the Spl.CS to Govt & CCLA, AP, Hyd.Lr. No.SRP4/1102/08,dt:28.11.08
alongwith the letter of Spl.Collector, LA, Bheema Project, Mahabubnagar.

O R D E R:

The Special Chief Secretary to Government and Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has informed that the Special Collector, LA, Bheema Project, Mahabubnagar District has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.No.373/90 pertaining to Jurala (V) Atmakur (M) of Mahabubnagar District. The then Special Dy.Collector, LA, PJP, Gadwal had acquired the Dry land to an extent of Ac.14-36 gts in the limits of Jurala (V) Atmakur (M) of Mahabubnagar District by fixing the market value @Rs.2,800/- per acre through Award No.8/1984, dt:23.03.1984 for the purpose of lands for Excavation of PJP Left Main Canal. Aggrieved with the market value awarded by the LAO, the awardees have filed petitions U/s.18 (1) of L.A.Act with a request to refer the matter to the Civil Court for adjudication. The Sr.Civil Judge, Wanaparthy in its orders dt:03.08.1995 had delivered judgments by enhancing the market value from Rs.2,800/- to Rs.13,500/-per acre. Aggrieved with the market value enhanced by the Lower Court, the SDC, LA, PJP, Gadwal has filed appeal in the Hon'ble High Court of A.P, Hyd against the orders of the Lower Court. The Hon'ble H.C has granted Interim Stay Orders and directed to deposit 50% decretal charges. Accordingly, an amount of Rs.1,68,623/- was sanctioned and the same was deposited in the Court of the Sr.Civil Judge, Gadwal on 0-2.03.2001. Finally, the Hon'ble H.C of A.P, Hyderabad has dismissed the appeal filed by SDC, LA, PJP, Gadwal by confirming the judgments of Lower Court. In the meanwhile, the claimants have filed Writ Petition before the Hon'ble High Court of A.P, Hyderabad to deposit the decretal charges to the credit of E.P.No.100/2004.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.3,14,755/- (Rupees Three lakhs fourteen thousand seven hundred and fifty five only)** in respect of O.P.No.373/90 pertaining to Jurala (V) Atmakur (M) of Mahabubnagar District subject to verification whether the reference under section 18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The expenditure sanctioned in para (2) ante shall be debitable to following Head of Account under "4701-SMJH -01-Major Irrigation -M.H.122 Jurala Project G.H.11 - NSP- SH (27) - Canals and Distributaries - 530 Major Works - 532 Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of re-appropriation.

4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.SP 15666/F2(2)/2008-1, dated 27.12.2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.

The Special Collector, LA,Bheema Project, Mahabubnagar.

The Chief Engineer, MBNR, Jalasoudha Buildings, Erramanzil, Hyderabad.

The SDC, LA, PJP, Gadwal, Mahabubnagar.

The Director of Works Accounts, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No. 33566/LA-III(A2)/2008.

SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER